

Senate File 181 - Introduced

SENATE FILE 181

BY DANIELSON

A BILL FOR

1 An Act providing for the modification of property divisions
2 made pursuant to a dissolution of marriage.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 598.21, subsection 7, Code 2011, is
2 amended to read as follows:

3 7. ~~Not subject to~~ Limited modification.

4 a. Property Except as provided in paragraph "b", property
5 divisions made under this chapter are not subject to
6 modification.
7 b. The portion of a property division which constitutes
8 an order intended to be a qualified domestic relations
9 order affecting pension, profit sharing, or stock bonus
10 plans pursuant to the United States Internal Revenue Code is
11 modifiable only for the purpose of establishing or maintaining
12 the order as a qualified domestic relations order or to revise
13 or confirm the order's terms to effectuate the expressed intent
14 of the order.

15

EXPLANATION

16 This bill allows an exception to the proscription against
17 modification of property divisions made under the dissolution
18 of marriage and domestic relations Code chapter. The exception
19 provides that the portion of a property division which
20 constitutes an order intended to be a qualified domestic
21 relations order (QDRO) affecting pension, profit sharing,
22 or stock bonus plans is modifiable only for the purpose of
23 establishing or maintaining the order as a QDRO or to revise or
24 confirm the order's terms to effectuate the expressed intent
25 of the order.